

Union Calendar No. 492

97TH CONGRESS
2D SESSION

H. R. 6946

[Report No. 97-802]

To amend title 18 of the United States Code to provide penalties for certain false identification related crimes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 5, 1982

Mr. HUGHES (for himself, Mr. HYDE, Mr. SAWYER, Mr. KASTENMEIER, Mr. GLICKMAN, Mr. FISH, and Mr. KINDNESS) introduced the following bill; which was referred to the Committee on the Judiciary

SEPTEMBER 10, 1982

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on August 5, 1982]

A BILL

To amend title 18 of the United States Code to provide penalties for certain false identification related crimes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 *That this Act may be cited as the "False Identification*
2 *Crime Control Act of 1982".*

3 *SEC. 2. Chapter 47 of title 18 of the United States*
4 *Code is amended by adding at the end the following:*

5 *"§ 1028. Fraud and related activity in connection with iden-*
6 *tification documents*

7 *"(a) Whoever, in a circumstance described in subsection*
8 *(c) of this section—*

9 *"(1) knowingly and without lawful authority pro-*
10 *duces an identification document or a false identifica-*
11 *tion document;*

12 *"(2) knowingly transfers an identification docu-*
13 *ment or a false identification document knowing that*
14 *such document was stolen or produced without lawful*
15 *authority;*

16 *"(3) knowingly possesses with intent to use un-*
17 *lawfully or transfer unlawfully five or more identifica-*
18 *tion documents (other than those issued lawfully for the*
19 *use of the possessor) or false identification documents;*

20 *"(4) knowingly possesses an identification docu-*
21 *ment (other than one issued lawfully for the use of the*
22 *possessor) or a false identification document, with the*
23 *intent such document be used to defraud the United*
24 *States; or*

1 “(5) knowingly produces, transfers, or possesses a
2 document-making implement with the intent such docu-
3 ment-making implement will be used in the production
4 of a false identification document or another document-
5 making implement which will be so used;
6 or attempts to do so, shall be punished as provided in subsec-
7 tion (b) of this section.

8 “(b) The punishment for an offense under subsection (a)
9 of this section is—

10 “(1) a fine of not more than \$25,000 or imprison-
11 ment for not more than five years, or both, if the of-
12 fense is—

13 “(A) the production or transfer of an identi-
14 fication document or false identification document
15 that is or appears to be—

16 “(i) an identification document issued
17 by or under the authority of the United
18 States; or

19 “(ii) a birth certificate, or a driver’s li-
20 cense or personal identification card;

21 “(B) the production or transfer of more than
22 five identification documents or false identifica-
23 tion documents; or

24 “(C) an offense under paragraph (5) of such
25 subsection;

1 “(2) a fine of not more than \$15,000 or imprison-
2 ment for not more than three years, or both, if the of-
3 fense is—

4 “(A) any other production or transfer of an
5 identification document or false identification doc-
6 ument; or

7 “(B) an offense under paragraph (3) of such
8 subsection; and

9 “(3) a fine of not more than \$5,000 or imprison-
10 ment for not more than one year, or both, in any other
11 case.

12 “(c) The circumstance referred to in subsection (a) of
13 this section is that—

14 “(1) the identification document or false identifi-
15 cation document is or appears to be issued by or under
16 the authority of the United States or the document-
17 making implement is designed or suited for making
18 such an identification document or false identification
19 document;

20 “(2) the offense is an offense under subsection
21 (a)(4) of this section; or

22 “(3) the production, transfer, or possession prohib-
23 ited by this section is in or affects interstate or foreign
24 commerce, or the identification document, false identifi-
25 cation document, or document-making implement is

1 *transported in the mail in the course of the production,*
2 *transfer, or possession prohibited by this section.*

3 “(d) *As used in this section—*

4 “(1) *the term ‘identification document’ means a*
5 *document made or issued by or under the authority of*
6 *the United States Government, a State, local or for-*
7 *ign government, or an international governmental or*
8 *quasi-governmental organization which, when complet-*
9 *ed with information concerning a particular individu-*
10 *al, is of a type commonly accepted for the purpose of*
11 *identification of individuals;*

12 “(2) *the term ‘produce’ includes alter, authenti-*
13 *cate, or assemble;*

14 “(3) *the term ‘document-making implement’*
15 *means any implement or impression specially designed*
16 *or primarily used for making an identification docu-*
17 *ment, a false identification document, or another docu-*
18 *ment-making implement;*

19 “(4) *the term ‘personal identification card’ means*
20 *an identification document issued by a State or local*
21 *government solely for the purpose of identification; and*

22 “(5) *the term ‘State’ includes the District of Co-*
23 *lumbia, the Commonwealth of Puerto Rico, and any*
24 *other possession or territory of the United States.*

1 “(e) *This section does not prohibit any lawfully author-*
2 *ized investigative, protective, or intelligence activity of a law*
3 *enforcement agency of the United States, a State, or a subdi-*
4 *vision of a State, or of an intelligence agency of the United*
5 *States, or any activity authorized under title V of the Orga-*
6 *nized Crime Control Act of 1970 (18 U.S.C. note prec.*
7 *3481).”.*

8 *SEC. 3. The table of sections at the beginning of chapter*
9 *47 of title 18 of the United States Code is amended by*
10 *adding at the end the following:*

“1028. Fraud and related activity in connection with identification documents.”.

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